

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

Commodity Futures Trading Commission, *et al.*,

Plaintiffs,

vs.

Civil Action No. 3:20-CV-2910-L

TMTE, INC. a/k/a metals.com, Chase Metals Inc., Chase Metals, LLC, Barrick Capital, Inc., Lucas Thomas Erb a/k/a Lucas Asher a/k/a Luke Asher, and Simon Batashvili,

Defendants.

**NOTICE REGARDING COURT'S JULY 1, 2021 ORDER
AND RECEIVER'S REQUESTED DISCOVERY MATERIALS**

Defendant Lucas Asher ("Asher"), through his current counsel of record Arnold A. Spencer, submits this Notice Regarding Court's July 1, 2021 Order and Receiver's Requested Discovery Materials (the "Notice") and states as follows:

On July 1, 2021, this Court issued an order (Dkt. 280) conditionally granting Counsel for Defendants Lucas Asher and Simon Batashvili's Motion to Withdraw as Attorney of Record (Dkt. 222). The second condition of that order provides, in relevant part, as follows:

Defendant Asher must produce, by **July 29, 2021**, the discovery (materials) that he agreed to produce during his deposition on January 29, 2021, which was later identified in a letter that the Receiver sent to Mr. Spencer and Mr. Chris Davis. . . . Mr. Spencer **shall** inform the court in writing when the discovery issue has been satisfied or resolved.

Pursuant to this Court's July 1, 2021 order, Asher files this Notice to inform the Court that Asher and his current counsel have provided the Receiver with all information available to Mr.

Asher and responsive to the Receiver's requests. Counsel for Asher has offered to discuss any remaining issues on this matter with the Receiver.

Dated: July 29, 2021

Respectfully submitted,

By: /s/ Arnold A. Spencer

Arnold A. Spencer

Texas State Bar #00791709

Spencer & Associates

5949 Sherry Lane, Suite 900

214-385-8500

arnoldspencer75225@gmail.com

COUNSEL FOR DEFENDANT

LUCAS ASHER

CERTIFICATE OF SERVICE

I certify that all counsel of record who have consented to electronic service were served with a true and correct copy of the foregoing document via the Court's CM/ECF system on this 29th day of July 2021.

/s/ Arnold A. Spencer

Arnold A. Spencer